

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JOHN FREDERICK FLYNN III,

Plaintiff,

v.

PIERCE COUNTY, *et al.*,

Defendants.

CASE NO. C18-1813-JCC

ORDER

This matter comes before the Court on Defendants' motion to dismiss (Dkt. No. 6). Plaintiff initially filed his complaint in state court, asserting state law claims of negligence and false imprisonment and a claim for violation of his federal constitutional rights under 42 U.S.C. § 1983. (Dkt. No. 1-3.) Defendants removed the case to this Court on federal question jurisdiction. (Dkt. No. 1.) In his response to Defendants' motion to dismiss, Plaintiff voluntarily dismissed his § 1983 claim and requested that this case be remanded back to state court. (Dkt. No. 10 at 1.)

The Court construes Plaintiff's response as a voluntary dismissal pursuant to Federal Rule of Civil Procedure 41(a). The Court **DECLINES** to exercise supplemental jurisdiction over Plaintiff's remaining state law claims. 28 U.S.C. § 1367(c)(3); *Carlsbad Tech., Inc. v. HIF Bio, Inc.*, 556 U.S. 635, 639 (2009). This case is **REMANDED** to King County Superior Court for adjudication of Plaintiff's state law claims of negligence and false imprisonment.

1 DATED this 22nd day of February 2019.

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5 John C. Coughenour
6 UNITED STATES DISTRICT JUDGE
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